

November 19, 2018

**Emmaus Borough Council
Agenda
November 19, 2018 7:00 PM**



1. Call to Order
2. Pledge of Allegiance
3. Personal Appeals, Part I
4. Community Minute
5. Special Presentations
6. Reading of Minutes
 - 6.a. Council Meeting Minutes - November 5, 2018
7. Decisions on Bids
8. Communications
 - 8.a. Alan Hawman, III, 203 Main Street - Request reappointment to the Building Board of Appeals (term expires 1/1/2019).
 - 8.b. John Stover, Jr., 537 Chestnut Street - Request reappointment to the Emmaus Vacancy Board (term expires 1/1/2019).
 - 8.c. Jeffrey Ott, Ott Consulting - Request reappointment to the Building Board of Appeals (term expires 1/1/2019).
 - 8.d. Nigel Watt, 130 N. 5th Street - Request reappointment to the Board of Health (term expires 1/1/2019).
 - 8.e. John Zettlemoyer, Jr., 53 N. Third Street - Request reappointment to the Emmaus General Authority (term expires 1/1/2019).
 - 8.f. Susan Schmidt, 739 Lawrence Drive - Request reappointment to the Zoning Hearing Board (term expires 1/1/2019).
 - 8.g. Vince Tranguch, 222 Stephen Street - Request reappointment to the Civil Service Commission (term expires 1/1/2019).

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- 8.h. Kris Thompson, 417 Beechwood Street - Request appointment to the Community Garden Commission.
- 8.i. Linda Waddell, 976 N. 7th St. Circle - Resignation from the Emmaus Ars Commission effective January 28, 2019.
- 8.j. Mike Waddell, 976 N. 7th St. Circle - Resignation from the Emmaus Arts Commission effective February 7, 2019.
- 8.k. Ziad Munson, 305 N. 2nd Street - Resignation from the Emmaus Library Board (term expires 1/1/2019).

9. Borough Engineer's Report

10. Solicitor's Report

11. Unfinished Business, Part I

12. New Business

Ordinance No. 1183 – An Ordinance Amending the Borough of Emmaus Zoning Ordinance of 1993, as Amended, to Apply the Modified Parking Requirements of Section 27-602, Sub-section 6, to Craft Beverage Restaurants and Craft Beverage Production Facilities Located in the Central Commercial (B-C) Zoning District (1st Reading 11/19/2018).

13. Unfinished Business, Part II

14. Items Not on Agenda
Subject to Rule 9

15. Mayor's Report

16. Committee Reports

Public Works/(Highway, Water & Sewer) (Anders, Sorg-McManamon, Labenberg)

Next Meeting – December 10, 2018 at 3:30 p.m.

Committee Meeting Notes - November 5, 2018

Health, Sanitation, and Codes (Shubzda, Sorg-McManamon, Anders)

Next Meeting – November 28, 2018 at 4:30 p.m.

Reappoint Alan Hawman, III to the Building Board of Appeals - (New Term Expires: 1/1/2024)

Reappoint Jeffrey Ott to the Building Board of Appeals (New Term Expires: 1/1/2024)

Reappoint Nigel Watt to the Board of Health - (New Term Expires: 1/1/2024)

Reappoint Susan Schmidt to the Zoning Hearing Board (New Term Expires: 1/1/2022)

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Parks and Recreation (Baumgartner, Anders, Shubzda)

Next Meeting – December 4, 2018 at 4:30 p.m.

Christmas Tree Pop-Up Triangle Park

Committee Meeting Notes - November 6, 2018

Public Safety (DeFrain, Barrett, Baumgartner)

Next Meeting – December 12, 2018 at 9:15 a.m.

Fire Department Policies

Reappoint Vincent Tranguch to the Civil Service Commission (New Term Expires: 1/1/2025)

General Administration (Labenberg, Barrett, DeFrain)

Next Meeting – December 6, 2018 at 9:00 a.m.

Reappoint John Stover, Jr. to the Emmaus Vacancy Board (New Term Expires: 1/1/2020)

Reappoint John Zettlemyer, Jr. to the Emmaus General Authority (New Term Expires: 1/1/2024)

Budget and Finance (Barrett, DeFrain, Labenberg)

Next Meeting – December 3, 2018 at 6:45 p.m.

Resolution No. 2018-38: Bill List

Committee Meeting Notes - November 5, 2018

Community Relations, Planning and Development (Sorg-McManamon, Baumgartner, Shubzda)

Next Meeting – December 20, 2018 at 4:30 p.m.

Ordinance No. 1183 – 1st Reading

Appoint Kris Thompson to the Community Garden Commission (term expires 1/1/2022)

Appoint Wendy Bartkus to the Community Garden Commission (term expires 1/1/2022)

Appoint Bernadette Goetz to the Emmaus Arts Commission (term expires 2/7/2021)

Appoint Melynda Yesemia Cameron to the Emmaus Arts Commission (term expires 2/1/2021)

Committee Meeting Notes - November 5 and November 14, 2018

17. Boards and Commissions

17.a. Emmaus Main Street Partners Board Meeting Minutes - October 3, 2018

17.b. Recreation and Entertainment Commission Meeting Minutes - October 31, 2018

17.c. Pension Board Meeting Minutes - November 7, 2018

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17.d. Planning Commission Meeting Minutes - November 8, 2018

17.e. Employee Safety Committee Meeting Minutes – November 15, 2018

18. Personal Appeals, Part II

19. Borough Manager's Report

19.a. Significant Revenue and Expense Items for 1st Half of November, 2018

20. President's Business

21. Adjournment

EMMAUS BOROUGH COUNCIL

The Emmaus Borough Council met in regular session on November 19, 2018 in Borough Council Chambers, 28 S. 4th Street, Emmaus, PA 18049.

CALL TO ORDER

Mr. Labenberg called the Meeting to order at 7:00 p.m.

Brent Labenberg, President	Present
Chris DeFrain, Vice President	Present
Roy Anders	Present
Wesley Barrett	Present
Shana Baumgartner	Present
Jeffrey Shubzda	Present
Teri Sorg-McManamon	Present
Lee Ann Gilbert, Mayor	Present
Jeffrey Dimmich, Solicitor	Present
Shane Pepe, Borough Manager	Present

PERSONAL APPEALS, PART I

A. Griffin Harold, 123 Elm Street – asked for an update on the new municipal complex located at 33 E. Minor Street. Mr. Pepe responded that once or twice a year, an update is provided in the newsletter. He stated that Council voted in October to hire an engineer to perform an HVAC study and that study is about to begin. He stated that other progress has been made at the gym, but walls cannot be closed until the HVAC system is done. He also stated that the Borough will be selling the gym located behind Central Station as soon as the one at the new complex is built. He stated that some minor work is being completed at the building. Mr. Harold asked if the building is currently gutted to which Mr. Pepe answered affirmatively. Mr. Labenberg stated that the Borough is working in phases to finish the building and Borough taxpayers have not paid for any of the work. Mr. Harold asked how much of Phase I is complete. Mr. Pepe responded approximately 30%. Mr. Harold asked if it would be possible for the Borough to provide updates more frequently.

COMMUNITY MINUTE

Mr. Shubzda thanked Keith from Funk Brewery for hosting the Turkey Trot Up the Hill on Sunday, November 18, 2018. He also thanked the Emmaus Police Department for their assistance at the event. Mr. Shubzda stated that the event was for a good cause and many turkeys were collected. Mrs. Sorg-McManamon reminded everyone that Small Business Saturday will be held on Saturday, November 24, 2018 and encouraged everyone to shop local. Mr. Anders thanked the Public Works Department for their effort with snow removal during the recent storm. Mr. Labenberg stated that the McDonald's ribbon cutting was held on Saturday, November 17, 2018. Mayor Gilbert stated that there was a very nice turnout for the event.

EMMAUS BOROUGH COUNCIL

SPECIAL PRESENTATIONS - None.

READING OF MINUTES

Motion by Mr. Barrett, seconded by Ms. Baumgartner to adopt the November 5, 2018 Council Minutes as drafted. There were 7 ayes. Motion carried.

DECISION ON BIDS – None.

COMMUNICATIONS

- a. Alan Hawman, III, 203 Main Street – Request reappointment to the Building Board of Appeals (term expires 1/1/2019).
- b. John Stover, Jr., 537 Chestnut Street – Request reappointment to the Emmaus Vacancy Board (term expires 1/1/2019).
- c. Jeffrey Ott, Ott Consulting – Request reappointment to the Building Board of Appeals (term expires 1/1/2019).
- d. Nigel Watt, 130 N. 5th Street – Request reappointment to the Board of Health (term expires 1/1/2019).
- e. John Zettlemyer, Jr., 53 N. Third Street – Request reappointment to the Emmaus General Authority (term expires 1/1/2019).
- f. Susan Schmidt, 739 Lawrence Drive – Request reappointment to the Zoning Hearing Board (term expires 1/1/2019).
- g. Vince Tranguch, 222 Stephen Street – Request reappointment to the Civil Service Commission (term expires 1/1/2019).
- h. Kris Thompson, 417 Beechwood Street – Request appointment to the Community Garden Commission.
- i. Linda Waddell, 976 N. 7th St. Circle – Resignation from the Emmaus Arts Commission effective January 28, 2019. Mr. Labenberg directed Mr. Pepe to mail Mrs. Waddell a letter of thanks for her service to the Community.
- j. Mike Waddell, 976 N. 7th St. Circle – Resignation from the Emmaus Arts Commission effective February 7, 2019. Mr. Labenberg directed Mr. Pepe to mail Mr. Waddell a letter of thanks for his service to the Community.
- k. Ziad Munson, 305 N. 2nd Street – Resignation from the Emmaus Library Board (term expires 1/1/2019). Mr. Labenberg directed Mr. Pepe to mail Mr. Munson a letter of thanks for his service to the Community.

BOROUGH ENGINEER’S REPORT – None.

SOLICITOR’S REPORT

Solicitor Dimmich reported that he and Mr. Pepe will return to court on November 21, 2018 to continue the litigation process with J.P. Mascaro.

Progress.

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UNFINISHED BUSINESS, PART I – None,

NEW BUSINESS

Ordinance No. 1183 – An Ordinance Amending the Borough of Emmaus Zoning Ordinance of 1993, as Amended to Apply the Modified Parking Requirement of Section 27-602. Sub-section 6, to Craft Beverage Restaurants and Craft Beverage Facilities Located in the Central Commercial (B-C) Zoning District (1st Reading 11/19/2018).

Mr. Pepe stated that the Planning Commission made the recommendation. Mr. Pepe stated that this will eliminate parking requirements for Craft Beverage Restaurants and Craft Beverage Facilities and will make parking requirements consistent with restaurants within the Borough' downtown district.

Motion by Mrs. Sorg-McManamon, seconded by Mr. Shubzda to adopt Ordinance No. 1183 - An Ordinance Amending the Borough of Emmaus Zoning Ordinance of 1993, as Amended to Apply the Modified Parking Requirement of Section 27-602. Sub-section 6, to Craft Beverage Restaurants and Craft Beverage Facilities Located in the Central Commercial (B-C) Zoning District on its 1st Reading. Roll call vote: Mr. DeFrain, aye; Mr. Barrett, aye; Ms. Baumgartner, aye; Mrs. Sorg-McManamon, aye; Mr. Shubzda, aye; Mr. Anders, aye; Mr. Labenberg, aye. There were 7 ayes. Motion carried.

UNFINISHED BUSINESS, PART II – None.

ITEMS NOT ON AGENDA, subject to Rule 9 – None.

MAYOR'S REPORT

Mayor Gilbert reported that today is the 1st time in the Emmaus Police Department's 109-year history that two women are on patrol at the same time. She also congratulated Officer Whipple on completing her FTO training.

Progress.

COMMITTEE REPORTS

a. Public Works Committee

Mr. Anders reported that the next Committee meeting is December 10, 2018 at 3:30 p.m.

Progress.

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b. Health, Sanitation, and Codes Committee

Motion by Mr. Shubzda, seconded by Ms. Baumgartner to reappoint Alan Hawman, III, to the Building Board of Appeals to a term expiring 1/1/2024. There were 7 ayes. Motion carried.

Motion by Mr. Shubzda, seconded by Ms. Baumgartner to reappoint Jeffrey Ott to the Building Board of Appeals to a term expiring 1/1/2024. There were 7 ayes. Motion carried.

Motion by Mr. Shubzda, seconded by Mrs. Sorg-McManamon to reappoint Nigel Watt to the Board of Health to a term expiring 1/1/2024. There were 7 ayes. Motion carried.

Motion by Mr. Shubzda, seconded by Ms. Baumgartner to reappoint Susan Schmidt to the Zoning Hearing Board to a term expiring 1/1/2022. There were 7 ayes. Motion carried.

Mr. Shubzda reported that the next Committee meeting is November 28, 2018 at 4:30 p.m.

Progress.

c. Parks and Recreation Committee

Motion by Ms. Baumgartner, seconded by Mr. Anders to grant the Emmaus Main Street Partner's request to hold a Christmas Tree Pop-Up Shop on the Triangle and to reserve two parking spaces on the east side of the Triangle for loading purposes.

Ms. Baumgartner stated that Herbein's will be selling Christmas trees, wreaths and other holiday decorum at Triangle Park. The event will be held on Fridays from 4:00 p.m. to 7:00 p.m., and Saturdays from 11:00 a.m. to 2:00 p.m., from December 7 through December 22, 2018. Mrs. Sorg-McManamon asked if there is a set amount for the donation to use Triangle Park. Ms. Baumgartner responded that there was not a set amount. Mr. Labenberg asked if the vendors will also make a donation. Mr. Labenberg invited Ashley Lorah to the podium. Ms. Lorah stated that the vendors will also make a donation for the use of the Triangle. She stated that they will ask for a donation of 10-15% of sales. Mr. Pepe stated that the motion needs to be contingent upon insurance.

Ms. Baumgartner amended her motion and Mr. Anders amended his second to include proof of insurance.

Motion by Ms. Baumgartner, seconded by Mr. Anders to grant the Emmaus Main Street Partner's request to hold a Christmas Tree Pop-Up Shop on the Triangle

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and to reserve two parking spaces on the east side of the Triangle for loading purposes contingent upon proof of insurance. There were 7 ayes. Motion carried.

Ms. Baumgartner reported that the next Committee meeting is December 4, 2018 at 4:30 p.m.

Progress.

d. Public Safety Committee

Motion by Mr. DeFrain, seconded by Mr. Barrett to adopt the Fire Department Policies. There were 7 ayes. Motion carried.

Mr. Anders thanked Chief Price for his effort in helping to write the policy and for his dedication to his position as Chief.

Motion by Mr. DeFrain, seconded by Mr. Barrett to reappoint Vincent Tranguch to the Civil Service Commission to a term expiring 1/1/2025. There were 7 ayes. Motion carried.

Mr. DeFrain reported that the next Committee meeting is December 12, 2018 at 9:15 a.m.

Progress.

e. General Administration Committee

Motion by Mr. Barrett, seconded by Mr. Anders to reappoint John Stover, Jr., to the Emmaus Vacancy Board to a term expiring 1/1/2020. There were 7 ayes. Motion carried.

Motion by Mr. Barrett, seconded by Mr. Anders to reappoint John Zettlemyer, Jr., to the Emmaus General Authority to a term expiring 1/1/2024. There were 7 ayes. Motion carried.

Mr. Barrett reported that the next Committee meeting is December 6, 2018 at 9:00 a.m.

Progress.

f. Budget and Finance Committee

Resolution 2018-38, authorizing payment of the November 19, 2018 Bill List, as follows:

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Bill List	\$	318,633.01
Payroll #23	\$	147,588.01
Payroll Taxes	\$	<u>45,558.11</u>
Total	\$	511,779.13

Done this 19th day of November 2018.

Motion by Mr. Barrett, seconded by Mr. DeFrain to adopt Resolution 2018-38. There were 7 ayes. Motion carried.

Mr. Barrett reported that Council and the Department Heads have been working very diligently on the proposed 2019 Budget.

Progress.

g. Community Relations, Planning and Development Committee

Motion by Mrs. Sorg-McManamon, seconded by Ms. Baumgartner to appoint Kris Thompson to the Community Garden Commission to a term expiring 1/1/2022. There were 7 ayes. Motion carried.

Motion by Mrs. Sorg-McManamon, seconded by Ms. Baumgartner to appoint Wendy Bartkus to the Community Garden Commission to a term expiring 1/1/2022. There were 7 ayes. Motion carried.

Motion by Mrs. Sorg-McManamon, seconded by Ms. Baumgartner to appoint Bernadette Goetz to the Emmaus Arts Commission to a term expiring 2/7/2021. There were 7 ayes. Motion carried.

Motion by Mrs. Sorg-McManamon, seconded by Ms. Baumgartner to appoint Melynda Yesemia Cameron to the Emmaus Arts Commission to a term expiring 2/1/2021. There were 7 ayes. Motion carried.

Mrs. Sorg-McManamon reported that the Committee has been working on the website and the Junior Councilperson position.

Mrs. Sorg-McManamon reported that the next Committee meeting is December 20, 2018 at 4:30 p.m.

Progress.

PERSONAL APPEALS, PART II - None.

EMMAUS BOROUGH COUNCIL

BOROUGH MANAGER'S REPORT

Mr. Pepe reported that the Significant Revenue and Expense Items for the first half of November 2018 are in the iPads and entertained questions about them.

Mr. Pepe reported that the convenience store, the Commerce Center on Broad Street and Phases IV and V of the Fields at Indian Creek were on the Agenda for the Planning Commission meeting. He stated that the convenience store has agreed to No Left Turn onto Cedar Crest Boulevard. He stated that he anticipates that the convenience store will be on the Agenda for the December Planning Commission meeting. He also stated that the Fields at Indian Creek will install a trail system and will be installing a crosswalk signal at Cedar Crest Boulevard and North Street. He stated that they are asking that the Borough waive the Parks and Recreation Fee and the Commission voted to waive the fee based on that condition. Mr. Pepe stated that the Commerce Center has many stormwater issues and he is unsure when the plan will be presented before Council.

Progress.

PRESIDENT'S BUSINESS

Mr. Labenberg reported that he has no official report but that today is World Toilet Day. He also reported that today is his 24th Wedding Anniversary.

Progress.

ADJOURNMENT

Motion by Mr. Barrett, seconded by Mr. DeFrain to adjourn the November 19, 2018 Emmaus Borough Council Meeting. There were 7 ayes. Motion carried.

The Meeting adjourned at 7:44 p.m.

Shane M. Pepe
Borough Manager

Transcribed by: Paula Weiant
Administrative Assistant
November 20, 2018